

House Bill 549 (AS PASSED HOUSE AND SENATE)

By: Representatives Ralston of the 7<sup>th</sup> and Willard of the 49<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 6 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated,  
2 relating to registration of voters, so as to provide transmittal of information to the Secretary  
3 of State regarding jurors who declare themselves as not being a citizen of the United States;  
4 to amend Article 1 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated,  
5 relating to drivers' licenses, so as to specify the information which the Department of Driver  
6 Services may provide for purposes of creating juror lists; to provide for related matters; to  
7 provide for an effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 6 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to  
11 registration of voters, is amended by revising Code Section 21-2-231, relating to monthly  
12 transmittal of information to the Secretary of State and removal of persons from the list of  
13 electors, as follows:

14 "21-2-231.

15 (a) Unless otherwise notified by the Secretary of State, the clerk of the superior court of  
16 each county shall, on or before the tenth day of each month, prepare and transmit to the  
17 Secretary of State, in a format as prescribed by the Secretary of State, a complete list of all  
18 persons, including addresses, ages, and other identifying information as prescribed by the  
19 Secretary of State, who were convicted of a felony involving moral turpitude during the  
20 preceding calendar month in that county. The Secretary of State may, by agreement with  
21 the commissioner of the Department of Corrections, obtain criminal information relating  
22 to the conviction, sentencing, and completion of sentencing requirements of felonies  
23 involving moral turpitude. Additionally, the Secretary of State shall be authorized to obtain  
24 such criminal information relating to Georgia electors convicted of felonies involving  
25 moral turpitude, if possible, from other states.

(a.1) The clerk of the superior court of each county shall, on or before the tenth day of each month, prepare and transmit to the Secretary of State, in a format as prescribed by the Secretary of State, a complete list of all persons, including addresses, ages, and other identifying information as prescribed by the Secretary of State, who identify themselves as not being citizens of the United States during their qualification to serve as a juror during the preceding calendar month in that county.

(b) The judge of the probate court of each county shall, on or before the tenth day of each month, prepare and transmit to the Secretary of State, in a format as prescribed by the Secretary of State, a complete list of all persons, including addresses, ages, and other identifying information as prescribed by the Secretary of State, who were declared mentally incompetent during the preceding calendar month in the county and whose voting rights were removed.

(c) Upon receipt of the lists described in subsections (a), (a.1), and (b) of this Code section and the lists of persons convicted of felonies in federal courts received pursuant to 42 U.S.C. Section 1973gg-6(g), the Secretary of State shall transmit the names of such persons whose names appear on the list of electors to the appropriate county board of registrars who shall remove all such names from the list of electors and shall mail a notice of such action and the reason therefor to the last known address of such persons by first-class mail.

(d) Unless otherwise notified by the Secretary of State, the local registrar of vital statistics of each county shall, on or before the tenth day of each month, prepare and transmit to the Secretary of State, in a format as prescribed by the Secretary of State, a complete list of all persons, including addresses, ages, and other identifying information as prescribed by the Secretary of State, who died during the preceding calendar month in the county. The Secretary of State may, by agreement with the commissioner of human resources, obtain such information from the state registrar of vital statistics. Additionally, the Secretary of State is authorized to obtain such lists of deceased Georgia electors, if possible, from other states.

(e) Upon receipt of the lists described in subsection (d) of this Code section, the Secretary of State or his or her designated agent shall remove all such names of deceased persons from the list of electors and shall notify the registrar in the county where the deceased person was domiciled at the time of his or her death.

(f) County registrars shall initiate appropriate action regarding the right of an elector to remain on the list of qualified registered voters within 60 days after receipt of the information described in this Code section. Failure to take such action may subject the registrars or the county governing authority for whom the registrars are acting to a fine by the State Election Board."

**SECTION 2.**

Article 1 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, is amended in Code Section 40-5-2, relating to keeping and furnishing of information on licensees, by revising paragraph (7) of subsection (f) as follows:

"(7) The lists required to be made available to boards of jury commissioners and the Administrative Office of the Courts pursuant to Code Section 15-12-40 regarding county residents who are the holders of drivers' licenses or personal identification cards issued pursuant to this chapter. Such lists shall identify each such person by name, address, date of birth, ~~gender, driver's license or personal identification card number issued pursuant to the provisions of this chapter,~~ and gender, and, whenever racial and ethnic information is collected by the department for purposes of voter registration pursuant to Code Section 21-2-221, ~~by racial or ethnic group~~ the department shall also provide such information. The department shall also provide the address, effective date, document issue date, and document expiration date and shall indicate whether the document is a driver's license or a personal identification card."

**SECTION 3.**

Section 1 of this Act shall become effective on January 1, 2010. The remaining sections of this Act shall become effective upon approval by the Governor or upon becoming law without such approval.

**SECTION 4.**

All laws and parts of laws in conflict with this Act are repealed.